

THIRD COUNTRY PRE NOTIFICATION

Joint Workshop

“ Supporting the regional implantation of the FAO
Port State Measures Agreement:
A decisive step toward an international Day of the
fight against IUU fishing”
Tangier, Morocco, 6-8 December 2016

By
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MALTA FMC
Department of Fisheries and Aquaculture (DFA)

Regulation (EU) No 1343/2011,
Council Regulation (EC) No 1005/2008,
Council Regulation (EC) No 1224/2009.

Checks are done to confirm name is correct, owners and registration and vessel is not on IUU lists also VMS, AIS and Logbook are checked

FMC

An excel sheet of port movements of pre notifications received by agents / masters of Third Country FV is updated accordingly by officers at the FMC.

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	FLAG	VESSEL NAME	Vessel TYPE	DATE of ETA	LOA	IRCS	REG	BERTH	PURPOSE				
2									OF CALL	YMS in Port (Y/N)	Date left port	Comments	
3	Libya	Tashana		01-Feb	35m	54VR	5HD63	Valetta	Ship for repairs	Yes	Yes		
4	Libya	Aedonia	PS	01-Feb	30m	54GB	ST59	Valetta	Ship for repairs	Yes	Yes		



Transport Malta also updates daily port movements of vessels in Maltese ports.

AIS

Port Notice: No 04/2013

Any fishing vessel of 15 mt LOA entering a port of Malta.
or operates in either Maltese internal or territorial waters.



Or:

Lands its catch in a Maltese port shall be fitted with a Class A AIS meeting the performance standards drawn up by the IMO, including but not limited to IMO Resolution A.917 (22)



Example of Class A AIS

Port Notices




Ports and Yachting Directorate
Our Ref: TM/PT/25/08
Port Notice No 04/2015

To: Ship Owners and Operators
Ship Agents
Ship Masters

Subject: Malta Report Lines
Date: 04/05/2015
Ref: 040/152/2015
Email: info@transport.gov.mt
www.transport.gov.mt

Pre-Arrival Notice and Designated Ports for Third Country Fishing Vessels

The Authority for Transport in Malta wishes to remind masters, agents and representatives of third country fishing vessels (hereafter referred to as "vessels") regarding the obligations as prescribed in COUNCIL REGULATION (EC) No 1280/2008 of 20 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, according to Regulations (EC) No 2867/03, (EC) No 2868/2003, and (EC) No 955/2006, and repealing Regulations (EC) No 1084/94 and (EC) No 1440/1999, as amended, and specifically on the requirement as per Article 4 to submit prior notice at least 72 hours before the estimated time of arrival. This prior notice is to be submitted to both the Authority for Transport in Malta and the Department of Fisheries and Aquaculture jointly.

Furthermore, the Authority for Transport in Malta and the Department of Fisheries and Aquaculture jointly and declare that in terms of Article 5 of Council Regulation (EC) No 1005/2008, the designated ports for third country fishing vessels are the following:

1. Port of Valetta (Grand Harbour): designated port for the conduct of landing or transshipment operations of fishery products and access to port services;
2. Port of Marsamxett: designated port for access to port services only;
3. Port of Marsaxlokk: designated port for access to port services only.

Access to port services and the conduct of landing and transshipment operations by both third country fishing vessels may only be conducted in the above mentioned designated ports.

Failure to adhere with any of the above may entail that a third country fishing vessel will not be allowed to enter Maltese territorial waters and ports.

(Signature)
Capt David Bugeja
Chief Officer
Ports and Yachting Directorate

04 May 2015

Transport Malta is the Authority for Transport in Malta set up by ACT No 1 of 2008

Port Notice: No 04/2015



Ports and Yachting Directorate
Our Ref: TM/PT/13/04
Port Notice No 04/2013

To: Ship Agents
Masters
Operators of vessels calling at Maltese waters

Automated Identification System (AIS)

The structure of all lights, Masters, Owners and Operators of vessels which call at Maltese waters is hereby being directed to the mandatory requirements and obligations regarding the AIS.

In the interests of safety and for the preservation of good order within the Maltese ports, coastal and territorial waters, and also in terms of the Treaty of the Mediterranean and Reporting Requirements Regulation (EU) No 24, all vessels calling at a port or Maltese waters or navigating within the Maltese coastal and territorial waters must be fitted with an Automated Identification System (AIS) in accordance with the technical and performance standards laid down in Chapter 9 of the SOLAS Convention and as follows:

1. All Passenger ships, irrespective of size, except passenger ships below 24m LOA or 800t engaged only in domestic voyages; and
2. All other ships, except passenger ships, of 30m or more, except those ships which are less than 300gt calling exclusively within Maltese waters and include ships normally used by AIS fitted ships.

Ships fitted with AIS must maintain it in operation at all times, except where international agreements, rules or standards provide for the permission of navigational information, and shall have the AIS information constantly updated.

With respect to fishing vessels, any fishing vessel coming at a Maltese port or navigating within the Maltese coastal and territorial waters at more than 12m LOA and which either flies the flag of a Member State or is registered in the European Union, or operates in the coastal and territorial waters of Malta, or lands its catch in any port of Malta, shall be fitted with an AIS (Class A) which meets the performance standards above set by the IMO, ensuring that not less than 100m AIS (Class A) is fitted.

Fishing vessels equipped with an AIS (Class B) must be in operation at all times and shall have the AIS information constantly updated. AIS may only be switched off in exceptional circumstances where the master considers that to be necessary to the interest of safety or security of his vessel.

All masters are reminded that they should comply with the instructions and requests given to them by the Malta VTS (Vessel Traffic Service) and the Maltese VTS (Port Control). Furthermore, prior entering the territorial waters, all masters, including reporting of deficiencies, must be duly made. Masters shall ensure that when the ship enters the territorial waters of Malta, the ship participates in and complies with all the regulations, rules and directives which apply to such territorial waters.

In the event of non-compliance by the master or vessel with the above directions and regulations, action in terms of the applicable legislation will be taken. Such action includes prohibition of entry into, exit from or navigation in Maltese waters and ports.

(Signature)
Capt David Bugeja
Chief Officer
Ports and Yachting Directorate

14 August 2013

Fishing vessels having an overall length exceeding 15 metres but less than 18 metres, for not less than 31" of May 2013

Port Notice: No 04/2013

OBLIGATIONS BY MASTER

CHAPTER 425

FISHERIES CONSERVATION AND MANAGEMENT ACT

To make provision for the regulation, conservation and management of

the fisheries of Malta and matters incidental thereto.

4th June, 2001

ACT II of 2001, as amended by Legal Notice 426 of 2007.

11. (1) The master of a foreign fishing vessel that has fish on board shall

- (a) prior to entry of the vessel into the fishing waters; or
(b) prior to the vessel leaving an area of the fishing waters
in which the master, owner or charterer is licensed to
fish,

notify a fisheries protection officer of the amounts, descriptions and presentation of fish on board the vessel.

FURTHERMORE

Carry a logbook in line with GFCM Recommendation/35/2011/1, concerning the establishment of a GFCM Logbook.

All 3rd Country Fishing vessels entering a Malta must have an operational VMS onboard.

If no VMS onboard, vessel may be allowed into port to have a VMS installed.

Crew list is also to be provided with pre notification.

Authorisation from Flag state to leave port and enter a EU port.

- If Force Majeure is received vessel allowed in port.
- Officers – Follow S.O.P to allow vessel into port.
 - FMC leases with F/V VMS provider.
- If inspection at sea is required AFM assist with FPO's



- TM and Police assist in not allowing vessel into port if discrepancies are found

Scenario



- On 13/08/2014 a pre notification was received at Malta FMC from the agents of a Libyan Flagged F/V.
- Pre notification stated that vessel was entering port for minor repairs.

Scenario

- Inspectors proceeded to where vessel was berthing and carried out a Module 3 inspection, all documents were photographed.
- During inspection master was asked if there was a fishing logbook?
- Master stated that there was “No fishing logbook”.
- Vessel was equipped with a Class B AIS and VMS.
- Inspector carried out a check on the hold as per Module 3 and findings were that there was fish onboard.
- The fish included 480Kg of frozen whole red prawn (*Aristomorpha foliacea*) and a quantity of mixed fish.

Scenario cont...



Sample of catch found on board, main catch approx 40 boxes of Red Prawn.

Scenario cont...



Hold was sealed and Master and agent were
Informed that vessel could not leave port until
further investigations.

Court proceedings followed and vessel owners were fined.

CONTACT INFORMATION



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Thank you